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Letter dated 25 January 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone containing an account of the Committee's activities for the year 2004 (see annex). The report, which was adopted by the Committee on 25 January 2005, is being submitted in accordance with the note by the President of the Security Council dated 29 March 1995 (S/1995/234).

(*Signed*) Ronaldo Mota **Sardenberg**
Chairman
Security Council Committee established pursuant to
resolution 1132 (1997) concerning Sierra Leone

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Annex

Report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone covers the period from 1 January to 31 December 2004.

2. A report of the Committee covering its activities from 21 December 2002 to 31 December 2003 was submitted to the Security Council on 27 February 2004 (S/2004/166).

3. For 2004, the Bureau consisted of Ambassador Ronaldo Mota Sardenberg (Brazil) as Chairman, with the delegations of Algeria and Pakistan providing the Vice-Chairmen (S/2004/4).

4. During the reporting period, the Committee held one formal and two informal meetings.

II. Background information and summary of the work of the Committee

A. Background information

5. By its resolution 1132 (1997) of 8 October 1997, the Security Council, determining that the situation in Sierra Leone, following the military coup of 25 May 1997, constituted a threat to international peace and security in the region, imposed a mandatory ban on the sale or supply by States to Sierra Leone of arms and related materiel as well as petroleum and petroleum products. The Security Council, by paragraph 5 of the resolution, also imposed travel restrictions on members of the military junta and adult members of their families. Subsequently, by its resolution 1156 (1998) of 15 March 1998, the Council lifted the oil embargo and, by its resolution 1171 (1998) of 5 June 1998, confirmed the removal of sanctions on the Government and reimposed the embargo on the sale or supply of arms to Sierra Leone other than to the Government, as well as the travel ban on leading members of the Revolutionary United Front and of the former military junta.

6. On 5 July 2000, the Security Council adopted resolution 1306 (2000) in which it decided, inter alia, that all States should, for an initial period of 18 months, prohibit the direct or indirect import of rough diamonds from Sierra Leone to their territory. In the same resolution, the Council also decided that diamonds controlled by the Government of Sierra Leone through the certificate of origin regime would be exempt from those measures.

7. The Council's prohibitions on the import of rough diamonds from Sierra Leone not controlled by the certificate of origin regime were extended for an additional period of 11 months by its resolution 1385 (2001), and for another period of 6 months by its resolution 1446 (2002).

8. On 5 June 2003, the President of the Security Council read out a statement to the press (SC/7778) in which he noted, inter alia, that in the light of the increased efforts of the Government of Sierra Leone to control and manage its diamond industry and ensure proper control over diamond mining areas and its full participation in the Kimberly Process, members of the Council had agreed not to renew the prohibition against the import of rough diamonds from Sierra Leone not controlled by the certificate of origin regime.

B. Summary of the activities of the Committee

9. At its 35th meeting, on 24 February 2004, the Committee considered a letter dated 22 December 2003 from the Permanent Representative of Sierra Leone to the United Nations confirming the death of Colonel Sam Bockarie and Corporal Foday Sayabana Sankoh and decided to update accordingly the list of individuals affected by the travel restrictions imposed by paragraph 5 of resolution 1171 (1998). The Committee issued a revised travel ban list on 25 February 2004, which was subsequently communicated to all States by note verbale and issued as a press release of the Security Council (SC/8008). The revised list was also made available on the Committee's web site (http://www.un.org/Docs/sc/committees/SLTemplate.htm).

10. On 4 March 2004, the Chairman wrote to the Permanent Representative of Sierra Leone to the United Nations informing him of the Committee's decision to remove the two individuals from its list of people affected by the travel restrictions imposed by paragraph 5 of resolution 1171 (1998). In the same letter, the Chairman also sought the views of the Government of Sierra Leone on the future of the travel ban as well as any additional relevant information regarding those individuals who remained on the travel ban list. The Permanent Representative of Sierra Leone conveyed a reply to the Committee dated 28 July 2004 that contained a recommendation from the Government of Sierra Leone to remove the names of 16 individuals from the travel ban list.

11. During its informal consultations on 10 September 2004, the Committee considered the letter from the Permanent Representative of Sierra Leone dated 28 July 2004 and, on 20 September, decided to delete the names of the following individuals from the list of individuals affected by the travel restrictions imposed by paragraph 5 of resolution 1171 (1998): Major J. B. Cater-Tarawallie, Haroun S. Sankoh, Joe Amara Bangali, Alimamy Pallo Bangura, Victor O. F. Brandon, Major Fatoma Sanoh Gottor, Sahr Kondewa Kaigbanga, Major Augustine F. Kamara, Colonel Karefa I. S. Kamara, Dr. Baila Leigh, Ajibola E. Manley-Spaine, Cecil Akindele Osho-Williams, UmaruDin Sesay, Allieu Badara Kamara, Major Gabriel Turay and Major John E. Milton. The Committee issued a revised travel ban list on 20 September 2004, which was subsequently communicated to all States by note verbale and published as a press release of the Security Council (SC/8192). The revised list was also made available on the Committee's web site. In a letter dated 30 September 2004, the Chairman informed the Permanent Representative of Sierra Leone to the United Nations of the Committee's decision to remove the names of the 16 individuals from the travel ban list and informed him that the Committee would welcome any further information or recommendations from the Government of Sierra Leone in connection with the travel ban list or the individuals whose names were inscribed thereon.

12. During its consultations on 23 July 2004, the Committee considered a letter dated 8 July 2004 from the Registrar of the Special Court for Sierra Leone. In his letter, the Registrar made reference to five individuals in the custody of the Special Court who were also included on the Committee's travel ban list. Noting that those individuals could become seriously ill or injured while in the custody of the Special Court, the Registrar asked the Committee to consider that possibility and to agree in advance to authorize the travel of the accused immediately upon the request of the Special Court. In his reply dated 4 August 2004, the Acting Chairman informed the Registrar that the Committee would look constructively upon travel ban waiver requests submitted by the Special Court on behalf of listed individuals in its custody who were in need of medical treatment abroad and specified the information required by the Committee in that regard.

13. In a letter dated 6 May 2004, the Permanent Mission of the United States of America notified the Committee of the export of non-lethal spare parts for helicopters of the Armed Forces of Sierra Leone, in accordance with paragraph 4 of resolution 1171 (1998). In accordance with the same paragraph, the Chairman informed the President of the Security Council about the notification received from the United States in a letter dated 12 May 2004 (S/2004/395).

14. On 10 May 2004, the Committee received a note verbale from the Permanent Mission of Argentina to the United Nations that described steps taken by the Government of Argentina in 2004 regarding the implementation of Security Council resolution 1171 (1998).

15. On 5 November 2004, the Committee adopted revised guidelines for the conduct of its work, which were subsequently posted on the Committee's web site.

C. Violations and alleged violations of the sanctions regime

16. During the reporting period, no violations or alleged violations of the sanctions regime were brought to the attention of the Committee.

III. Observations

17. In his twenty-fourth report on the United Nations Mission in Sierra Leone (UNAMSIL) (S/2004/965), the Secretary-General noted that the favourable security environment in Sierra Leone had facilitated further progress in the consolidation of peace in the country and had also enabled UNAMSIL to transfer the overall primacy for security responsibility to the Government of Sierra Leone. In 2005, the Chairman intends to undertake consultations within the Committee as to how it might most effectively carry out its work and interact with the Government of Sierra Leone in order to contribute to these positive developments.

18. The Chairman believes that the time might be ripe for the Security Council to revisit the legal basis of its measures concerning Sierra Leone and he hopes that consultations within the Committee regarding its future work will be of use to the Security Council in connection with streamlining the sanctions and revising their legal basis.